

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

BIS ADVANCED SOFTWARE SYSTEMS,
LTD.,

Plaintiff,

v.

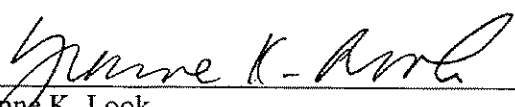
RED BEND SOFTWARE, INC.,
RED BEND, LTD.,
TIME WARNER INC.,
ICQ, INC.
INSTALLSHIELD SOFTWARE CORP.,
and
SCANSOFT, INC.


Defendants.

Civil Action No. 04cv11960 (RWZ)

LOCAL RULE 16.1(D)(3) CERTIFICATION

Defendant Time Warner Inc. and counsel for Time Warner Inc. hereby certify that they have conferred: (a) with a view to establishing a budget for the costs of conducting the full course – and various alternative courses – of the litigation; and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.


Yvonne K. Look
TIME WARNER INC.


Ethan Horwitz (*pro hac vice* pending)
Georgia Yanchar (*pro hac vice* pending)
GOODWIN PROCTER LLP
599 Lexington Avenue
New York, NY 10022
(212) 813-8800

Anastasia M. Fernands (BBO# 633131)
GOODWIN PROCTER LLP
Exchange Place
Boston, MA 02109

(617) 570-1000

ATTORNEYS FOR TIME WARNER
INC.